

1. Introduction

This policy is intended to provide the policies and procedures necessary for the conduct of purchasing activities for the Town of Barrington. This policy is designed to:

- Encourage maximum competition through fair and equal opportunity to those qualified and interested bidders.
- Provide a uniform procedure for the procurement of material, equipment, supplies, and services.
- Ensure that the taxpayers are getting the “best overall value” for their dollars.
- Provide an accounting of purchases to enable better financial management within the budget.
- Apply to all Town Departments under the authority of the Town Administrator.

All purchases are subject to approval of the Accounts payable check manifest being signed by the Board of Selectmen.

2. Purchasing Procedure

It is the Town’s policy to have issuance of purchase orders for all items above \$2,500 other than the listed exceptions.

- All purchases require prior authorization by the Department Head or his/her designee.
- Some purchases and expenditures for service shall have a purchase order as detailed in Section 15 of in this policy.
- Purchase orders, when required, shall be issued prior to purchase.
- Some of the factors considered when determining the “best overall value” are:
 - Price
 - Quality
 - Warranty
 - Service
 - Availability
 - Past Performance with Town of Barrington
 - References

Spending approval guidelines are as follows for all but exempted items:

Dollar Range & Item Type	Expense Approval Level	PO Required
\$0 - \$2,500 (goods & services)	Department Head	No
\$2,501-\$4,999 (goods & serv)	Department Head	Yes
\$5000 - \$10,000 (goods & services)	Town Administrator or his/her designee with a documented attempt to have at least 3 quotes	Yes other than repeating services
Above \$10,000	Board of Selectmen – sealed bid	Yes
Repeating Services, utilities, bulk items over \$10,000	RFQ if requested by Board of Selectmen	No
Non-repeating Services over \$10,000	Board Of Selectmen-Sealed RFQ/RFP	Yes
Emergency items that meet	a limit for a PO will need one	

Examples of “repeating services” include legal, assessing, auditing, subcontractors for winter maintenance and similar services.

3. Cases that do not require the bidding procedure (exemptions)

The Department Head or Town Administrator may approve a purchase without bid under the following conditions:

- Items acquired using a State bid purchase price;
- Emergency repairs and/or acquisitions where a delay would have an immediate adverse impact on public safety;
- Utilities (telephone, propane, heating fuel, cable television, electricity, etc.);
- Payments to human service agencies that have been specifically appropriated by the voters;
- Welfare payments;
- Bulk goods of a recurring nature or items acquired under a centralized purchasing program as may be approved by the Purchasing Agent (e.g. salt, paper);
- Only one known source of purchase, and there is no comparable substitute product or service; Written documentation supporting the sole source may be required;
- Expenditures made in accordance with the terms and conditions of a grant or contractual agreement that has been approved by the Board of Selectmen; such as the RFQ solicitation process, change orders, fee increases, etc.;
- Parts and/or supplies that are purchased in order to maintain or repair equipment and vehicles. This includes specific type or brand of supply or part necessary for acceptable operation of a machine or device, or as required by warranty or contract on the machine or device; written documentation supporting the purchase of a specific brand or part necessary for acceptable operation of a machine or device may be required.
- An item or service that is required on an emergency basis
- An item previously awarded within the past twelve (12) months (may be extended to 24 by Town Administrator for items under \$15,000 and Board of Selectmen for items over \$15,000;

4. Competitive Bidding (other than exemptions see Section 3)

All purchases of items in excess of ten thousand dollars (\$10,000) shall be made by competitive sealed bidding and contracts shall be awarded to the lowest *responsible* bidder. Competitive sealed bidding procedures shall at a minimum incorporate the following features:

- Formal bid specifications which shall, at a minimum, include the general terms and conditions of the proposed purchase, requirements of the bidder, form of contract and the forms for submission of bids
- Product or service specifications
- Adequate public notice, of a minimum of seven (7) calendar days prior to the date set for the opening of the bids; notice shall include the town website and any other location that can be reasonably expected to improve response including electronic and/or print media.

- Sealed bids shall be opened publically at the time and place designated in the invitation for bids which does not need to be a Board of Selectmen meeting.
- The award of bids shall be by the Board of Selectmen at a properly convened meeting.

5. Emergency Purchasing Process

Emergency Procurements Definition: Emergency procurements may be made when a threat to public health, welfare or safety exists, provided that such emergency procurement shall be made with such competition as is practical under the circumstances.

In case of an emergency requiring immediate purchase of materials, supplies, equipment or services, the Town Administrator hereby authorizes the Department Heads to approve such emergency purchase if the situation permits. The Town Administrator shall be notified as soon as possible as to the emergency and the associated purchases. A written determination for the basis of the emergency and for the selection of the particular contractor or vendor shall accompany the purchase order and voucher. As soon as is practicable, standard purchasing procedures will be reinstated.

6. Major Construction Projects

In the case of contracts for the construction, reconstruction, alteration, repair or refurbishing of real property a determination of responsibility of interested contractors may precede the issuance of invitations to bid. Invitations to bid may be issued only to firms which have, in the Town's sole determination, been pre-qualified.

Prequalification of firms shall be based on:

- The ability, capacity and skill of the bidder to perform the contract or service
- How promptly can the service be provided – can it be done within the specified timeframe
- The character, integrity, reputation, judgment, experience and efficiency of the bidder
- The quality of performance of previous contracts or services
- The sufficiency of financial resources of the bidder
- The ability of the bidder to perform warranty or future maintenance
- Others as required

7. Cancellation/Rejection of bids

An invitation to bid, request for proposal, or other solicitation may be canceled, or any or all bids or proposals may be rejected, in whole or part, as may be specified in the solicitation when it is in the best interest of the Town. The Town reserves the right to waive informalities and what it determines to be minor errors in the bidding process. The reasons shall be made part of the formal bid file.

8. Professional Services

The procurement of certain services where technical expertise or knowledge of a specialized field are critical to the performance of that service including but not limited to attorneys,

engineers, planning consultants, architects, accountants and other similar professionals, shall not require bidding but may be subject to a Request for Qualification or Request for Proposal. A prequalification process may be followed if so desired.

9. Conflict of interest/Ethics in Purchasing

- It shall be unethical for any Town employee involved in making procurement decisions to have personal investments in any business entity that will create a substantial conflict between their private interests and their public duties.
- It shall be unethical for any person to offer, give, or agree to give any Town of Barrington employee, or for any Town of Barrington employee to solicit, demand, accept, or agree to accept from any vendor or business, a gift or gratuity in any amount in connection with any decision, approval, disapproval, or recommendation concerning a solicitation.
- Inexpensive advertising items, bearing the name of a vendor, such as pens, pencils, paper weights, cups, candy, calendars, etc., are not considered articles of value or gifts in relation to this policy.
- Failure to comply with the provisions of this policy will result in disciplinary action.
- Grant all competitive suppliers equal consideration insofar as state or federal statute and institutional policy permit

10. Local Advantage

The Town of Barrington will make every effort to purchase from businesses located within the local area if the purchase fits into the category of “best overall value.” The Town of Barrington employees have a responsibility to the taxpayers of the Town to ensure that bids are awarded to vendors offering their products or services at the “best overall value” to the Town.

11. Artificial Division

Purchases shall not be artificially divided so as to create lower purchase amounts and therefore avoid some requirements of this policy. Whether or not a proposed purchase constitutes artificial division shall be determined by the Town Administrator.

12. Exceptions

Exceptions to the policy will be determined on a case-by-case basis by the Town Administrator under \$10,000 and the Board of Selectmen over \$10,000.

13. Authority

These policies are adopted by the Board of Selectmen in accordance with RSA 31:39 as it relates to their management of the Town's prudential affairs and their authority over expenditures.

14. Invoicing

Invoices are to be handled by the appropriate department head. The department head should promptly fill out the appropriate information and review the invoice for accuracy. Invoices will be stamped requesting the proper budget code, date, signature and description of the item purchased and sent promptly to the Finance Department for payment. Invoices for which a purchase order has been done, shall prominently note the purchase order number and additional details such as whether this completes the purchase under that purchase order.

15. Purchase orders

It is the responsibility of the department head to fill out the purchase order form and submit it to the Town Administrator or his/her designee for approval, along with a description of, and reason for, the purchase. Purchase orders are required as noted above in the chart in Section 2. This applies to all items whether being purchased by grant, operating budget, warrant article, capital reserve or other funds. Items and services purchased in an emergency are not exempt from the Purchase Order system; however the Purchase Order can be done at the earliest reasonable convenience of the Department Head. Any item for which a contractual obligation exists at the end of the year and which has not yet been received shall have a purchase order for encumbrance purposes regardless of the amount.